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FILE RIO RET TO

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SECRET 021753Z APR 69 CITE E 0334 E ACTING

DIRECTOR INFO E E

CALL CAPEDAL

REFS: A. E 0023 (M 13624)

B. E 6847 (M 14316)

1. E WHO FORMER CHIEF OF MOB

BRANCH WHICH RECRUITED CAPEDAL 1952, AND WHO IS KNOWN TO CAPEDAL, INTERVIEWED HIM 28 MARCH IN E. FOLLOWING IS RESULT MEETING:

A. MEETING FRIENDLY AND RELAXED. CAPEDAL STATES HE NOT MAKING CLAIM AGAINST US FOR ANYTHING, IN FACT SAYS HAS NO CLAIM, BUT ONLY WANTS TO FIND OUT IF HE CAN PUBLISH MEMOIRS AND WILL BELIEVE SECRECY AGREEMENT PROHIBITS THIS ONLY IF WE CAN SHOW HIM SIGNED AGREEMENT CONTAINING SUCH PROHIBITION. SAYS HE SAW AGREEMENT ONLY FOR TIME IT TOOK HIM TO SIGN NAME AND DOES NOT RECALL IT CONTAINED ANY PROHIBITION AGAINST PUBLICATION. REPEATED HE MUST SEE AGREEMENT TO BELIEVE IT AND IF ITS AS WE SAY WILL DROP ENTIRE MATTER. REFUSED TO BE CONVINCED BY QUOTE FROM PORTIONS OF COPY AGREEMENT. DID NOT MENTION WANTING NAZI WAR CRIMES DISCLOSURE ACT

EXEMPTIONS Section 3(b)
(2)(A) Privacy
(2)(B) Methods/Sources
(2)(C) Foreign Relations

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TO SHOW IT TO ATTORNEY TO SEE IF BINDING AND THIS ASPECT
NOT RAISED BY

B. WHEN REMINDED THAT AGREEMENT IS BINDING AND
IF HE PUBLISHED MEMOIRS WOULD BE SUBJECT TO CRIMINAL
PROSECUTION AND THAT WE PREPARED TO USE AGREEMENT AS
EVIDENCE IF PUSHED, RESPONDED AS OLD MAN NOBODY COULD
CAUSE HIM MUCH TROUBLE NOW AND MOREOVER SO MANY ARTICLES
AND BOOKS HAVE APPEARED ABOUT WOFIRM BY FORMER EMPLOYEES
^{FORMER} ~~FORMER~~ AND ^{OTHER} ~~OTHER~~ DOUTIFUL COURT WOULD PROSECUTE HIM FOR
PUBLICATION.

C. CLAIMS TO HAVE BEEN APPROACHED TWICE BY
REPRESENTATIVE OF A MAGAZINE. REFUSED TO IDENTIFY BY
NAME EITHER MAGAZINE OR ITS REPRESENTATIVE WHO OFFERED
HIM DM 20,000 ADVANCE AT LAST APPROACH. SAYS INITIATIVE
TAKEN BY MAGAZINE, NOT HIM, VIA TWO PHONE CALLS. SPECULATED
MAGAZINE GOT HIS NAME THROUGH FORMER ABWEHR FRIEND WHOM
REFUSED IDENTITY.

D. REPEATED PROTESTS MADE PREVIOUSLY TO
 THAT AFTER TERMINATION WE MADE NO EFFORT TO FIND
HIM EVEN MENIAL JOB THUS ALLOWING HIM WORK TO AGE 65 AND

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DRAW FULL PENSION; THEREFORE TO EDUCATE TWO DAUGHTERS
WIFE HAD TO GO TO WORK AS HE UNEMPLOYABLE AT AGE 63.

2. VIEW ABOVE AND OUR OWN INABILITY TO PROVIDE
COVER EMPLOYER TO ENABLE HIM PAY SOCIAL SECURITY TAX
DURING PERIOD OCTOBER 1952-1955 RECOMMEND FOLLOWING TWO
STAGE COURSE:

A. WE EXHIBIT TO HIM EITHER ORIGINAL OR PHOTO
COPY OF SIGNED SECRECY AGREEMENT, ALLOW HIM TO READ IT
BRIEFLY, BUT NOT COPY IT AND POINT OUT HE MUST HAVE READ
AND UNDERSTOOD IT BEFORE SIGNING AS IT CONTAINS CORRECTIONS
IN HIS OWN HANDWRITING. REMIND HIM OF HIS PROMISE TO
DROP MATTER IF WE CAN SHOW HIM HE SIGNED AGREEMENT PROHIBITING
PUBLICATION. IF HE DEMANDS COPY, WE REFUSE.

B. IF HE AGREES TO DROP MATTER UNCONDITIONALLY
WE THEN, AFTER SUITABLE PAUSE, OFFER TO PAY HIM DM 100 PER
MONTH FOR AS LONG AS HE LIVES WITH NO SURVIVOR BENEFIT TO
WIFE OR CHILDREN. THIS CORRESPONDS APPROXIMATELY TO PENSION
HE WOULD NOW BE GETTING HAD HE BEEN ABLE TO PAY SOCIAL
SECURITY TAX STARTING OCTOBER 1952 THROUGH 1955 AND IS
APPROXIMATELY DM 100 LESS THAN HE WOULD BE RECEIVING HAD

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HE PAID TAX FROM OCTOBER 1952 UNTIL AGE 65. ABOVE AMOUNT CAN READILY BE JUSTIFIED ON BASIS OUR INABILITY TO PROVIDE HIM COVER EMPLOYER. COULD BE PAID IN LUMP SUM BASED ON LIFE EXPECTANCY ACCORDING MORTALITY TABLES, VIA TRUST FUND SET UP FOR THIS PURPOSE, OR QUARTERLY OR SEMI-ANNUALLY IN CASH. RECOMMEND LAST METHOD AS WE RETAIN CONTROL OVER HIM WITHOUT CREATING SUBSTANTIAL ADMINISTRATIVE BURDEN.

C. IF ON OTHER HAND HE DEMANDS COPY TO SHOW LAWYER OR OTHERWISE INDICATES INTENTION TO PUBLISH STORY, RECOMMEND WE NOT OFFER REMUNERATION AS ABOVE AND STAND FIRM ON STATEMENT THAT SECRECY AGREEMENT STILL BINDING AND WE PREPARED USE IT IF PUSHED. HOWEVER WE STILL SEE NO UTILITY IN TRYING PURSUADE CATUSK OR CAWHISPER TO HANDLE CASE.

3. AS WE AGREED GET IN TOUCH WITH CAPEDAL IN ABOUT TWO WEEKS WE WOULD APPRECIATE EARLY HQS COMMENTS.

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